

**REMARKS**

Claims 72-91 are pending. Applicant has amended claims 72, 79, and 86.

Applicant would like to thank the Examiner for her consideration during the telephone interview of February 5, 2007. During that interview, applicant's representative described applicant's technology and suggested possible amendments to the claims that might help clarify the intended meaning of the claims.

The Examiner has rejected claims 72-91 under 35 U.S.C. § 103(a) as being unpatentable over Brown.<sup>1</sup> Although applicant disagrees, applicant has amended the claims to help clarify their intended meaning.

Applicant has amended the claims to further clarify that the assignments are subdivisions of the designated task. In particular, claims 72-78 now recite "automatically subdividing the designated task into a first assignment and a second assignment, the first assignment and the second assignment being subdivisions of the designated task." Claims 85 now recite "automatically subdividing the designated task into component assignments, the component assignments including a first assignment . . . and a second assignment." Claims 86-91 now recite "a component to subdivide the designated task into component assignments, the component assignments including a first assignment . . . and a second assignment.

In addition, applicant has amended the claims to clarify that the assignments, which are subdivisions of the designated task, are scheduled "independently" or "individually." Claims 72-78 recite "scheduling the first assignment and the second assignment

---

<sup>1</sup> The Examiner has taken Official Notice that "it is old and well-known in the art of resource assignment to schedule harder-to-schedule or more scarce resources for an activity prior to scheduling easier-to-schedule or more abundant resources for the same activity." (Office Action, Dec. 1, 2006, p. 10.) Applicant does not understand what the Examiner means by this statement. For example, it is not clear to applicant how the scheduling of resources relates to scheduling of the activity in this Official Notice. Applicant respectfully requests that the Examiner provide a citation to a reference that describes what the Examiner is taking Official Notice of so that applicant can assess the reference and respond as appropriate.

independently," claims 79-85 recite "individually scheduling the first assignment...and individually scheduling the second assignment," and claims 86-91 recite "a component to independently schedule the first assignment . . . and the second assignment."

To further clarify the intended meaning of the claims, applicant as amended claims 72-78 to recite that "the first assignment is scheduled to start at a time that is independent of a time at which the second assignment is scheduled to start," claims 79-85 to recite that "the component assignments can be scheduled to start at different times," and claims 86-91 to recite that "the first assignment and the second assignment are scheduled to have different start times."

Thus, applicant's claims are directed to subdividing a task into assignments and independently or individually scheduling each assignment so that the assignment can have independent or different start times. Brown, in contrast, describes scheduling only at the task or activity level and does not teach or suggest scheduling at a subdivision of a task or activity. It is the Examiner's position that Brown's "resource types" corresponds to applicant's assignments. However, Brown cannot schedule different types of resources of an activity independently or individually. Brown describes an example construction project that includes activities A1-G7. (Brown, 6:17-11:12.) Brown describes that the activity B2 of "laying the foundation" requires the resource types of trucks, unskilled laborers, and craftsmen. (Brown, 6:17-61.) Brown does not, however, separately schedule the trucks, unskilled laborers, or craftsmen. Rather, Brown clearly states that the "activities would then be scheduled in PRST order as their early start time permits." (Brown, 10:40-41, emphasis added.) Brown also shows the resultant schedule of the construction project in a table that lists activity numbers A1-G7 along with their corresponding start time. (Brown, 10:50-59.) There are no separate start times for the resource types of an activity.

Based on the above amendments and remarks, applicants respectfully request reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Dated: 2-21-07

Respectfully submitted,

By Maurice J. Piro  
Maurice J. Piro  
Registration No.: 33,273  
PERKINS COIE LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000  
(206) 359-7198 (Fax)  
Attorney for Applicant